

about to retreat to San Luis Potosi.

### Justice to a Michigan Officer.

We gladly publish the following from the Fourteenth Infantry, respecting the death of one of the soldiers. We saw the account charging Col. Mizner with murdering a man, but did not publish it, because we felt confident, from our long acquaintance with him, that there was a full and satisfactory explanation. This proves to be true, and we gladly publish it to the end that a meritorious and brave officer may not rest under an unjust charge even:

HEADQUARTERS 14TH MICH. MOUNTED INF'Y, }  
COLUMBIA, TENN., NOV. 16. }

EDITOR OF THE NILES REPUBLICAN—SIR—  
In a late number of your paper, an extract from which we have seen, you have given publication to the case of Michael Flynn, who you say was "outrageously murdered" by Col. Henry Mizner for falling to the rear of his regiment "on necessary business." Believing that you would not knowingly wrong or injure any man, much more attach upon one the horrible crime of murder, the undersigned most respectfully beg that you give publicity to this, a *true statement of the case*, that injustice may not be done to an officer for the faithful performance of his sworn duty. The facts of the "murder" are these:

On the morning of the 15th of October, the Fourteenth Regiment was ordered from Franklin to Columbia, a distance of twenty three miles. The advance, in which Flynn's company, (B) was in command of Major Fitzgibbon, who on passing the picket line at Franklin, wheeled the guard into line and ordered that no man should fall out to water himself or his horse, *or on any business or pretence whatever*, without consent of his officer; and to see to the proper enforcement of said order, the Major placed a file of four men and a Sergeant in rear of the advance to *shoot down any man who violated it*. To you at home such seemingly harsh and inhuman orders may appear causeless and unjustifiable, but when we inform you that the country through which we have to pass is infested with prowling gangs of murderous guerrillas, who rob, hang or murder every soldier whom they catch straggling from their commands, taking such in the light of reason you will regard those orders as needful and necessary. Such a guerrilla force was in front and on the flank of Major Fitzgibbon, and sending word to Col. Mizner, who was at the head of the main column, he dashed forward to Spring Hill, where the guerrillas were drawn up. Flynn, the deceased, and one Michael Keely, who belonged to the advance, *fell out of the ranks without the knowledge or consent of any officer, and returned to Franklin to get whisky*. Racing their horses the entire way from Franklin to Spring Hill [11 miles], they dashed furiously through the main column, running tilt against Col. Mizner and his Adjutant General, Capt. A. E. Magill, nearly jostled them off their saddles. The Colonel ordered both to "halt," and they refusing, he followed them to where the advance had rested. They reluctantly obeyed Col. Mizner's order to dismount, and he having taken their jaded and disabled horses from them, directing that they should be made to walk the remainder of the road to Columbia, Flynn turned upon, and, in the presence of his command, abused the Colonel most shamefully. The officers of his company vainly essayed to quiet him, and grasping his loaded rifle with both hands, drew back in a menacing manner and swore he would have satisfaction. He being a bad tempered, stubborn, wilful and insubordinate soldier, though brave to desperation, Colonel Mizner drew his revolver and shot him through.

Though they regretted the necessity, every officer of the regiment justified the act of Col. Mizner. Without discipline, an army is but an organized mob; and the officers incapable of enforcing obedience is unfit to have a command. Not only his own officers, but the General commanding, has approved the conduct of Col. Mizner, and being tried for this act at his own request, he has been honorably acquitted.

This is the truth of the "murder case," and he who misinformed you in the matter is either a base calumniator or a frankly villainous rascal.

Trusting that the papers which copied your version of the case will do justice to a brave and good officer by giving place to this, we remain, Mr. Editor, with respect, your fellow citizens in the field.

Major Thomas C. Fitzgibbon,	Capt. C. Ernst, Co. E,
Capt. A. E. Magill, Co. K,	1st Lt. P. Kelly, do,
Alvin Cole Asst. Surgeon,	2d Lt. G. F. Foote, do
Frank H. White, Regt Qr.	Capt E. S. Nixon, Co F,
Capt. P. Welch, Co. B,	Capt J J Donnelly, Co G,
1st Lt. N. Deveraux, do,	1st Lt. Jas. Stewart, do
Capt J. E. Mackey, Co. C,	Capt T Higgins, Co. H,
1st Lt. D. B. Harbaugh do,	1st Lt. J. Kirk, do
2d Lt. W. Finn, do,	1st Lt J. M. Clark, Co I,
2d Lt. H. Miller, Co. D,	1st Lt. A. P. Sinclair, K,
	2d Lt G. W. Gifford, K,

### Telegraphic Consolidation.

From the Utica Herald.